

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

UNITED STATES OF AMERICA	§	
<i>ex rel.</i> HEALTH CHOICE GROUP, LLC,	§	
<i>et al.</i> ,	§	
	§	
Plaintiffs,	§	
	§	C.A. No. 5:17-CV-00126-RWS-CMC
vs.	§	
	§	
BAYER CORPORATION, <i>et al.</i> ,	§	JURY TRIAL DEMANDED
	§	
Defendants.	§	

FIRST AMENDED NOTICE OF APPEAL

TO THE UNITED STATES DISTRICT COURT:

Notice is hereby given that Relator, HEALTH CHOICE GROUP, LLC, hereby appeals to the United States Court of Appeals for the Fifth Circuit from the Court's Order [Dkt. # 155] entered in this action on September 27, 2019 to the extent that the Court's Order dismisses with prejudice Relator's federal claims under the False Claims Act and Anti-Kickback Statute. Relator does not appeal from the District Court's Dismissal Without Prejudice of Relator's state law claims.

Dated: October 25, 2019

Respectfully submitted,

THE LANIER LAW FIRM, P.C.

/s/ W. Mark Lanier

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October 25, 2019, a true and correct copy of the foregoing was served electronically on those parties registered to receive electronic notice via the Court's CM/ECF system.

/s/ W. Mark Lanier

W. Mark Lanier